

**BOARD OF NURSING
MEETING MINUTES
DECEMBER 6, 2012**

PRESENT: Kay Coppens, Julie Ellis, Maria Joseph, Rachelle Lancaster, Julia Nelson, Lillian Nolan, Carol Ott, Jeffrey Miller (*arrived at 10:56 a.m.*)

PRESENT VIA GOTOMEETING: Gretchen Lowe

STAFF: Dan Williams, Executive Director; Pamela Stach, Legal Counsel; Matthew Niehaus, Bureau Assistant; Sharon Henes, Paralegal; and other Department Staff

CALL TO ORDER

Julia Nelson, Chair, called the meeting to order at 9:05 a.m. A quorum of nine (9) members was present.

ADOPTION OF AGENDA

Amendments to the Agenda

- Item “D” (open session) **ADD** the agenda item titled “Eagle River”
- Item “H” (open session) **ADD** the agenda item titled “Scope of Practice”
- Item “N - Application Review” (closed session) **ADD** the agenda items titled “Melissa Kading” and “Vickie Mason”
- Item “Q” (closed session) **ADD** the agenda item titled “James Riano, R.N. (09 NUR 304, 10 NUR 200, 11 NUR 491, 11 NUR 492, 11 NUR 493, 11 NUR 494” and “Michael J Raymond, R.N. (10 NUR 371)”

MOTION: Gretchen Lowe moved, seconded by Maria Joseph, to adopt the agenda as amended. Motion carried unanimously.

APPROVAL OF MINUTES OF NOVEMBER 1, 2012

MOTION: Gretchen Lowe moved, seconded by Maria Joseph, to approve the minutes of November 1, 2012 as published. Motion carried unanimously.

ADMINISTRATIVE MATTERS

Eagle River

MOTION: Rachelle Lancaster moved, seconded by Kay Coppens, to designate Julia Nelson as the Board’s designee to attend a conference call regarding Eagle River. Motion carried unanimously.

REPORT OF PRACTICE COMMITTEE

BOARD MOTION: Julie Ellis moved for the adoption of the Committee's recommendations. The Board adopts by unanimous consent.

Discussion and Review of BON Position Papers currently on the DSPS website

COMMITTEE MOTION: Julia Nelson moved, seconded by Kay Coppens, to not upload the "Co-Signing Student Charting" position paper to the website. Motion carried unanimously.

REPORT OF EDUCATION AND LICENSURE COMMITTEE

BOARD MOTION: Carol Ott moved for the adoption of the Committee's recommendations. The Board adopts by unanimous consent.

Discussion and Consideration of Request for Approval of Educational Administrator at Alverno College

COMMITTEE MOTION: Rachelle Lancaster moved, seconded by Kay Coppens, to recommend approval of the request for approval of Patricia Schroeder, RN, MSN, FAAN, as the Educational Administrator for Alverno College. Motion carried unanimously.

Discussion and Consideration of Request for Authority to Plan a Bachelor of Science in Nursing Program at Herzing University - Madison

COMMITTEE MOTION: Rachelle Lancaster moved, seconded by Kay Coppens, to approve Herzing University - Madison's request for authority to plan a Bachelor of Science in Nursing program. Motion carried unanimously.

Discussion and Consideration of Survey Visit to Bryant and Stratton College

8:55 a.m. Appearance by Susan Bonis

COMMITTEE MOTION: Rachelle Lancaster moved, seconded by Gretchen Lowe, that Bryant and Stratton College will need to come into compliance within six months with N1.06(1)(a)2: Organization and Administration of the Program, specifically an organizational chart and written plan which describes the relationship of the nursing program to the governing institution and N1.06(1)(b)3: The educational administrator shall have authority and responsibility for the development, implementation, and evaluation of the program. Motion carried unanimously.

DISCUSSION AND CONSIDERATION OF BOARD OF NURSING 2013 NEWSLETTER

10:09 Appearance by Kimberly Wood

MOTION: Julie Ellis moved, seconded by Carol Ott, to reinstate the Board of Nursing newsletter and to include the following components:

- The Board would like to have a listserv created for sending out their newsletter
- The Board would like to have the newsletter be released quarterly
- The Board would like a more visionary title for the newsletter
 - The tentative title is “Nursing Forward”
- The Board would like a method for licensees to file complaints
- The Board would like a section to detail developments in statutes and legislative matters
- The Board would like to have a section to recognize nurses who have made significant contributions to the practice of nursing, with a section to nominate nurses to recognize
- The Board would like to have PAP Information included in the newsletter

Motion carried unanimously.

MOTION: Kay Coppens moved, seconded by Rachelle Lancaster, to designate Julia Nelson and Rachelle Lancaster as the Board’s representatives to work with DSPS staff for newsletter creation. Motion carried unanimously.

DISCUSSION AND CONSIDERATION OF SCOPE STATEMENT TO CREATE N9 RELATING TO NURSE LICENSURE COMPACT

Jeffrey Miller entered the meeting at 10:56 a.m.

MOTION: Rachelle Lancaster moved, seconded by Carol Ott, to accept the statement of scope related to the creation of N9 Nurse Licensure Compact with two changes. #3, paragraph 2: If Wisconsin were removed from the Nurse Licensure Compact, there would be a serious economic impact on the state. Nurses licensed in Wisconsin would be ineligible to practice out of state under their Wisconsin license. Motion carried unanimously.

LEGISLATION/ADMINISTRATIVE RULE MATTERS

MOTION: Kay Coppens moved, seconded by Gretchen Lowe, to designate Julia Nelson as the Board’s representative to approve the scope for implementation of N1 no sooner than December 26, 2012. Motion carried unanimously.

MOTION: Rachelle Lancaster moved, seconded by Julie Ellis, to withdraw the scope relating to N1.04 and N1.05. Motion carried unanimously.

LIAISON REPORTS

MOTION: Rachelle Lancaster moved, seconded by Maria Joseph, to acknowledge the appointment of Kay Coppens as the interim credentialing liaison during Rachelle Lancaster's absence. Motion carried unanimously.

NEW BUSINESS

MOTION: Rachelle Lancaster moved, seconded by Kay Coppens, to have DSPS staff present an update on the status of the PAP brochure. Motion carried unanimously.

MOTION: Rachelle Lancaster moved, seconded by Julie Ellis, to have DSPS staff present an update on the status of the advisory council for discipline. Motion carried unanimously.

MOTION: Rachelle Lancaster moved, seconded by Kay Coppens, to place an item on the January agenda for the Board to receive a scope statement on N7 relating to discipline for failure of licensees to cooperate with investigations by DLSC personnel and other disciplinary considerations. Motion carried unanimously.

DISCUSSION AND CONSIDERATION OF BOARD STRATEGIC PLANNING AND ITS MISSION, VISION, AND VALUES

Discussion and Consideration of Mission Statement

MOTION: Gretchen Lowe moved, seconded by Kay Coppens, to adopt the mission, vision, and values from the November 1st Board of Nursing meeting with Alabama's endorsement. Motion carried unanimously.

CLOSED SESSION

MOTION: Jeffrey Miller moved, seconded by Maria Joseph, to convene to closed session pursuant to Wisconsin State statutes 19.85(1)(a)(b)(f) and (g) for the purpose of conducting appearances, reviewing monitoring requests, requests for licensure, deliberate on stipulations, administrative warnings, proposed decisions and orders, consulting with Legal Counsel and Division of Legal Services and Compliance case status reports. Roll Call Vote: Kay Coppens-yes; Julie Ellis-yes; Rachelle Lancaster-yes; Gretchen Lowe-yes; Julia Nelson-yes; Lillian Nolan-yes; Jeffrey Miller-yes; Maria Joseph-yes; and Carol Ott-yes. Motion carried unanimously.

The Board convened into Closed Session at 11:49 a.m.

RECONVENE TO OPEN SESSION

MOTION: Lillian Nolan moved, seconded by Rachelle Lancaster, to reconvene into open session. Motion carried unanimously.

The Board reconvened into Open Session at 4:15 p.m.

VOTING ON ITEMS CONSIDERED OR DELIBERATED ON IN CLOSED SESSION

MOTION: Kay Coppens moved, seconded by Jeffrey Miller, to affirm all motions made in closed session. Motion carried unanimously.

MONITORING

Theodore Alexander, L.P.N. – Requesting Extension of Time to Complete CE and Pay Costs

Gretchen Lowe lost remote connection to the meeting at 12:33 p.m.

MOTION: Lillian Nolan moved, seconded by Maria Joseph, to deny the request of Theodore Alexander, L.P.N. for a 180 day extension of time to complete an L.P.N. refresher course and to pay costs. The Board grants Theodore Alexander, L.P.N. a 90 day extension of time to complete an L.P.N. refresher course and to pay costs. Motion carried unanimously.

Melissa Anderson, R.N. – Requesting Modifications

MOTION: Kay Coppens moved, seconded by Rachelle Lancaster, to deny the request of Melissa Anderson, R.N., for reduction in drug testing. Furthermore, Melissa Anderson, R.N. will not petition the Board for further modification until 12/6/2013. **Reason for Denial:** Respondent has already had a recent reduction in drug screens on 4/3/12 and has had abnormal and dilute urine samples, indicating that she still needs monitoring. Motion carried unanimously.

Larisa Klein, R.N. – Requesting Modifications or Full Licensure

MOTION: Rachelle Lancaster moved, seconded by Lillian Nolan, to deny the request of Larisa Klein, R.N., for full licensure. The Board grants a reduction in the frequency of drug screens to fourteen (14) per year with one (1) annual hair test. Respondent will not petition the Board for further modification until 12/6/2013. **Reason for Denial:** Insufficient time under Board order. Motion carried unanimously.

Timothy Murphy, R.N. – Requesting Modification

MOTION: Rachelle Lancaster moved, seconded by Jeffrey Miller, to grant the request of Timothy Murphy, R.N., for removal of restrictions on access to controlled substances. The Board denies Respondent's request for removal of limitations on his R.N. license. **Reason for Denial:** Insufficient time under Board order. Motion carried unanimously.

Julie Wilcox, R.N. – Requesting Modifications

MOTION: Kay Coppens moved, seconded by Rachelle Lancaster, to grant the request of Julie Wilcox, R.N., for removal of requirement for treatment. Motion carried unanimously.

APPLICATION REVIEW

MOTION: Lillian Nolan moved, seconded by Maria Joseph, to grant Christopher Cross' application for L.P.N. licensure once all requirements are met. Motion carried unanimously.

Gretchen Lowe returned to the meeting remotely at 1:04 p.m.

MOTION: Jeffrey Miller moved, seconded by Carol Ott, to deny Tammy Mewes' application for R.N. licensure. Applicant needs to provide the Board evidence of an unencumbered license in Illinois. Motion carried unanimously.

MOTION: Kay Coppens moved, seconded by Jeffrey Miller, to deny Amy Rapp's application for R.N. licensure Applicant needs to provide the Board evidence of an unencumbered license in Illinois. Motion carried unanimously.

MOTION: Jeffrey Miller moved, seconded by Maria Joseph, to deny Ann Purcell's application for R.N. licensure Applicant needs to provide the Board evidence of an unencumbered license in Minnesota. Motion carried unanimously.

MOTION: Gretchen Lowe moved, seconded by Maria Joseph, to approve Melissa Kading's application to take the NCLEX. Motion carried unanimously.

MOTION: Kay Coppens moved, seconded by Lillian Nolan, to deny Vickie Mason's application for re-registration of licensure until such time as Respondent passes the NCLEX PN. **Reason for Denial:** Exceeds the five year automatic renewal and the Board has authority to request evidence of competency. Motion carried unanimously.

MOTION: Kay Coppens moved, seconded by Lillian Nolan, that DLSC will refer alleged unlicensed nurse activity in the matter of Vickie Mason as it relates to her Substance Abuse Counselor credential. Motion carried unanimously.

MOTION: Kay Coppens moved, seconded by Lillian Nolan, that DLSC will refer alleged unlicensed nurse activity in the matter of Vickie Mason to the regulating body for hospitals and clinics. Motion carried unanimously.

Maria Joseph left the meeting at 1:48 p.m.

CASE CLOSINGS

- MOTION:** Kay Coppens moved, seconded by Carol Ott, to close the case # 12 NUR 321 for Prosecutorial Discretion (P2). Motion carried unanimously.
- MOTION:** Kay Coppens moved, seconded by Carol Ott, to close the case # 12 NUR 306 for No Violation. Motion carried unanimously.
- MOTION:** Kay Coppens moved, seconded by Carol Ott, to close the case # 12 NUR 437 for Prosecutorial Discretion (P7). Motion carried unanimously.
- MOTION:** Kay Coppens moved, seconded by Carol Ott, to close the case # 12 NUR 420 for Compliance Gained (P2). Motion carried unanimously.
- MOTION:** Kay Coppens moved, seconded by Carol Ott, to close the case # 12 NUR 244 for Prosecutorial Discretion (P5 with a flag). Motion carried unanimously.
- MOTION:** Kay Coppens moved, seconded by Carol Ott, to close the case # 12 NUR 064 for Insufficient Evidence (IE). Motion carried unanimously.
- MOTION:** Kay Coppens moved, seconded by Carol Ott, to close the case # 12 NUR 529 for Insufficient Evidence (IE). Motion carried unanimously.
- MOTION:** Kay Coppens moved, seconded by Carol Ott, to close the case # 12 NUR 454 for Compliance Gained (P2). Motion carried unanimously.
- MOTION:** Kay Coppens moved, seconded by Carol Ott, to close the case # 12 NUR 491 for Prosecutorial Discretion (P7). Motion carried unanimously.

ADMINISTRATIVE WARNINGS

- MOTION:** Lillian Nolan moved, seconded by Carol Ott, to issue an administrative warning in the matter of case number 11 NUR 140. Motion carried unanimously.
- MOTION:** Lillian Nolan moved, seconded by Carol Ott, to issue an administrative warning in the matter of case number 12 NUR 003. Motion carried unanimously.

PROPOSED STIPULATIONS, FINAL DECISIONS AND ORDERS

MOTION: Kay Coppens moved, seconded by Lillian Nolan, to adopt the Findings of Fact, Conclusions of Law, Final Decisions and Orders in the disciplinary proceedings against:

- James Riano, R.N. (09 NUR 304, 10 NUR 200, 11 NUR 491, 11 NUR 492, 11 NUR 493, 11 NUR 494)
- Michael L. Raymond, R.N. (10 NUR 371)
- Kelly R. Barisas, R.N. (12 NUR 160)
- Indira Bhagwandin, R.N. (12 NUR 187)
- Nikkolee B. Grabow, R.N. (12 NUR 217)
- Shauna L. Dettinger, R.N. (12 NUR 283)
- Meghan L. Lowery, R.N. (12 NUR 298)

Motion carried unanimously.

FINAL DECISIONS AND ORDERS

MOTION: Rachelle Lancaster moved, seconded by Jeffrey Miller, to adopt the Findings of Fact, Conclusions of Law, Final Decisions and Orders in the disciplinary proceedings against Lisa Friedman, R.N. (12 NUR 125.) The case advisor is no longer a member of the Board. Motion carried unanimously.

MOTION: Lillian Nolan moved, seconded by Jeffrey Miller, to adopt the Findings of Fact, Conclusions of Law, and Order in the disciplinary proceedings against Sherrell Owens, L.P.N. (11 NUR 139.) With regard to the Order, the Board requests a variance to include the following conditions for a period of at least two years following the suspension while engaged in nursing practice:

- That the Respondent may not work in a home health care, assisted living, hospice, pool nursing, or agency setting.
- That the Respondent will only work in a setting pre-approved by the Board or its designee.
- That the Respondent shall only practice under the direct supervision of a licensed nurse or other licensed health care professional approved by the Board or its designee.

Motion carried unanimously.

MOTION: Rachelle Lancaster moved, seconded by Lillian Nolan, to recognize the nomination of Jeffrey Miller as the Board's designee to review and approve the Final Decision and Order with variance. Motion carried unanimously.

Maria Joseph was absent during deliberation and from voting in the matter of Sherrell Owens, L.P.N.

MOTION: Rachelle Lancaster moved, seconded by Gretchen Lowe, to adopt the Supplemental Proposed Decision in the matter of the disciplinary proceedings against Diane C. Walters, R.N. (09 NUR 290.) Motion carried unanimously.

Kay Coppens was absent during deliberation and recused herself from voting in the matter of Diane C. Walters, R.N.

MOTION: Carol Ott moved, seconded by Rachelle Lancaster, to adopt the Findings of Fact, Conclusions of Law, Final Decisions and Orders in the disciplinary proceedings against Nicole Wilburn, L.P.N. (12 NUR 219.) Motion carried unanimously.

Gretchen Lowe was absent during deliberation and recused herself from voting in the matter of Nicole Wilburn, L.P.N.

ADJOURNMENT

MOTION: Jeffrey Miller moved, seconded by Carol Ott, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 5:15 p.m.